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| 09/608,402 | 06/30/2000 | Ernie F. Brickell | 10559-225001 | 9862 |
| 20985 | 7590 | 10/28/2004 | EXAMINER | |
| FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081 | | | GREENE, DANIEL L | |
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3621

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/608,402 | BRICKELL ET AL. | |
| | Examiner | Art Unit | |
| | Daniel L. Greene | 3621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/30/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments filed 9/7/2004 have been fully considered but they are not persuasive.
2. The Applicant argues that a reference used, Musgrave, teaches away from the present invention.
3. The Applicant argues that neither Anderson, Vance, or Musgrave describe or suggest, storing results of the verification in an activity log in a central service and allowing specified users to access the results.

Response to Arguments

4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The Applicant submits that Musgrave fails to describe or suggest storing a result of a verification of a digital credential in a central service and allowing specified users to access the result. To demonstrate that it is old and well known in the art to receive a request to verify the use of a digital credential by a user of a digital credential, the digital credential being a digital security mechanism associated with the user's identity, the reference Musgrave was provided. The biometric certificates by definition are digital credentials of individuals. Musgrave further illustrates the receiving a request to verify, verifying the digital credential, sending results, storing the results and allowing restricted access.

The Applicant states that Musgrave teaches away from the present combination but it does not appear that the Applicant substantiates the statement. As previously presented, Anderson is the primary reference with the other references provided to demonstrate that the specifics of a concept taught by Anderson is old and well known to that person having ordinary skill in the art. As stated, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

As per claims 1, 13, and 23:

The Applicant's application can be paraphrased to a transaction utilizing a credit card. The first step is the authentication of the credit card at the time of charging the items purchased to the credit card. The credit card magnetic strip is read and then sent to a central service, which could be either an Automated Clearing House or an

Electronic Data Exchange, which validates the information and returns the results to the first service that requested it. The specifics of the transaction are recorded in an activity log to be used for the end of the billing period cycle of payment request and account reconciliation.

Anderson teaches about a computer-based data storage, manipulation, access and retrieval system, such as an accounting system. Col. 12, lines 40-55. Anderson further discloses the concepts of public key cryptography and its various uses involving transactions. Anderson provides examples involving electronic checking, loan applications, medical records and electronic contracts. Each of these incorporate the limitations of the present application and delineate the receiving a request for service, verifying the requestor/or user, sending a results back to the requestor, manipulating the transaction data for future accounting, and it is old and well known that only specified users can have access to checking accounts, loan accounts, medical records, and electronic contract accounts.

Anderson provided the conceptual framework presented by the Applicant. To demonstrate that storing results of an activity in a central location that communicates with each of a plurality of different locations, and allowing specified users to access said results, is old and well known to persons having ordinary skill in the art, Vance was provided.

The Applicant submits that account identification information is distinct from digital credentials associated with a user's identity. However, the claim is presenting a notification procedure. The Examiner submits that the notification of the activity in an

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account would occur whether the identity of the user was an account id, a digital credential or any other form used to identify an individual/account. Goldsmith specifically addresses the concept of electronic notification of an account activity.

As per independent claim 30, the claimed invention is directed to non-statutory subject matter. The claims must be useful, tangible and concrete as determined by the State Street Bank decision. The claims have no tangible, concrete product and are therefore non-statutory.

The Applicant submits as per claim 42 that Goldsmith's account activity techniques are not applicable to digital credential usage information. The Applicant is effectively proposing that the type of data being processed by an account activity technique renders it non-obvious and unique. The Examiner submits that an account activity technique will accomplish the same outcome/results regardless of the type of data it is dealing with since the differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The account activity techniques steps would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

The Applicant submits that as per claim 53, that neither of the references Anderson, Goldsmith, and Sudia describe or suggest the limitations. Sudia is not specified as a reference in the limitation rejection of claims 53-56. The subsequent discussion regarding Sudia appears moot since Sudia was not used in the rejection.

Claim Rejections - 35 USC §101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 30 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In claim 1 the applicant claims a method for receiving use information describing a first use ..., receiving use information describing a second use ..., storing the use information ..., generating an activity report ..., allowing said owner to view ..., allowing said delegate to view ..., This process might be performed without the aid of any technology and therefore the claimed method is not within the technological arts.

All that is necessary to make a sequence of operational steps in a statutory process within 35 U.S.C. 101 is that it be in the technological arts so as to be in concordance with the Constitutional purpose to promote the progress of “useful arts” *In re Musgrave*, 431 F.2d 882 167 USPQ 280 (CCPA 1970)

A claim is limited to a practical application when the method, as claimed, produces a concrete, tangible and useful result: i.e. the method recites a step or act of producing something that is concrete, tangible and useful. See *AT&T v. Excel Communications Inc.*, 172 F3d at 1358, 50 USPQ2d at 1452.

Claims 31-41 are dependant on rejected claim 30, and are rejected for at least the same reasons.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-8, 10,12-18,20,22-37,39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. US 6,021,202 [Anderson 202], and in further view of Vance et al.- U.S. 6,442,526 [Vance 526].**

As per claims 1,13,23,30, and 32:

Anderson [202] teaches:

verifying a use of a digital credential by a user of a digital credential, at any of a plurality of different locations where the digital credential can be used; Col. 6, lines 42-54. Anderson [202] discloses the claimed invention except for the storing a result of the verification in an activity log in a central location that communicates with each of said plurality of different locations; and allowing specified users to access said result.

However, Anderson [202] does disclose, "... send bank statements ... which reflects events of the transaction..." Col. 6, lines 5-58.

Vance '526 teaches that it is known in the art to provide storing the result of the verification in an activity log in a central location that communicates with each of said plurality of different locations; and allowing specified users to access said result. Col. 12,13,14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the detail in Anderson '202 about storing a result of the verification in an activity log in a central location that communicates with each of said plurality of different locations; and allowing specified users to access said result as taught by Vance '526, in order to clarify the generation and use of bank/transaction statements.

As per claims 2,14,24, and 31:

Anderson [202] discloses the claimed invention except for storing transaction information in the activity log. However, Anderson [202] does disclose, "... send bank statements ... which reflects events of the transaction..." Col.6, lines 5-58. Vance '526 teaches storing transaction information in the activity log. Col. 12,13,14. It would have been obvious to one having ordinary skill in the art at the time the invention was made to store the results of a transaction so that at a later time a bank/transaction statement could be generated.

As per claims 3,15,25,28, and 33:

Anderson [202] further discloses:

wherein the transaction information includes at least one of a message that was signed using a digital signature key of the digital credential, a value of a transaction, an online service, an internet protocol (IP) address, a date of the transaction and a time of the transaction. Col. 25, lines 64-67, Col. 26, lines 1-35.

As per claims 4, and 16:

Anderson [202] discloses the claimed invention except for generating an activity report from the activity log, wherein the activity report lists the stored results. However, Anderson [202] does disclose, "... send bank statements ... which reflects events of the transaction..." Col. 6, lines 5-58. It would have been obvious to one having ordinary skill in the art at the time the invention was made to store the results of a transaction so that at a later time an activity report from the activity log [a bank statement] could be generated.

As per claims 5,17, and 34:

Anderson [202] further discloses:

associating a name to a digital signature key of the digital credential, wherein the activity report lists the name of the digital signature key. Fig. 6, Col. 25, lines 64-67, Col. 26, lines 1-35.

As per claims 6, and 35:

Anderson [202] discloses the claimed invention except for wherein generating the activity report includes generating the activity report upon request by an owner of the digital credential. However, Anderson [202] does disclose, "... provide statements or reports to the payer and the payee..." Col. 30, lines 19-29. It would have been obvious to one having ordinary skill in the art at the time the invention was made to generate an activity report based upon the request by an owner (payee/payer) of the digital credential.

As per claims 7, and 36:

Anderson [202] discloses the claimed invention, as discussed above, except for the step of wherein generating the activity report includes generating the activity report each time the digital credential is verified. It would have been an obvious matter of design choice to modify the teachings of Anderson [202], to provide the step of wherein generating the activity report includes generating the activity report each time the digital credential is verified. Since the applicant has not disclosed that generating the activity report includes generating the activity report each time the digital credential is verified solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Anderson [202] will perform the invention as claimed by the applicant with any method,

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means, or product to generate an activity report that includes generating the activity report each time the digital credential is verified.

As per claims 8, and 37:

Anderson [202] discloses the claimed invention, as discussed above, except for the step of generating a report periodically. It would have been an obvious matter of design choice to modify the teachings of Anderson [202], to provide the step of generating a report periodically. Since the applicant has not disclosed that generating a report periodically solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Anderson [202] will perform the invention as claimed by the applicant with any method, means, or product to generating a report periodically.

As per claims 10,20, and 39:

Anderson [202] discloses the claimed invention except for wherein generating the activity report includes listing activity for a plurality of digital, signature keys associated with the owner and wherein said allowing compromises allowing said user to view all reports, but allowing each said delegate to view only their own activity reports for other delegates. However, Anderson [202] does disclose, "... provide statements or reports to the payer and the payee..." Col. 30, lines 19-29.

Vance '526 teaches that it is known in the art to generate an activity report which includes activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates. Col. 12,13,14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the detail in Anderson '202 about generating an activity report which includes activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates as taught by Vance '526, in order to maintain the integrity of the tracking/reporting system.

As per claims 12,22, and 41:

Anderson [202] discloses the claimed invention except for generating an activity report which includes activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates. However, Anderson [202] does disclose, "... provide statements or reports to the payer and the payee..." Col. 30, lines 19-29.

Vance '526 teaches that it is known in the art to generate an activity report which includes activity reports of the delegates of the user and wherein said allowing

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comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates. Col. 12,13,14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the detail in Anderson '202 about generating an activity report which includes activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates as taught by Vance '526, in order to maintain the integrity of the tracking/reporting system.

As per claim 18:

Anderson [202] discloses the claimed invention, as discussed above, except for the step of wherein the computer-executable instructions cause the computer to generate the activity report upon receiving a request by an owner of the digital credential, and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates.

It would have been an obvious matter of design choice to modify the teachings of Anderson [202], to provide the step of generating the activity report upon receiving a request by an owner of the digital credential, periodically, or when the digital credential is verified.

Vance '526 teaches that it is known in the art to generate an activity report which includes activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates. Col. 12,13,14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the detail in Anderson '202 about generating an activity report which includes activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates as taught by Vance '526, in order to maintain the integrity of the tracking/reporting system.

As per claim 26:

Anderson [202] discloses the claimed invention except for comprising an owner database to store information of an owner of the digital credential and owner-approved delegates and wherein said communication element allows said owner to view all reports, but allows each said delegate to view only their own report, and not reports for other delegates. However, Anderson [202] does disclose, "... memory may contain certification information..." Col. 12, lines 57-65.

Vance '526 teaches that it is known in the art to have an owner database to store information of an owner of the digital credential and owner-approved delegates

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and wherein said communication element allows said owner to view all reports, but allows each said delegate to view only their own report, and not reports for other delegates. Col. 12,13,14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the detail in Anderson '202 about generating an activity report which includes activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates as taught by Vance '526, in order to maintain the integrity of the tracking/reporting system.

As per claim 27:

Anderson [202] discloses the claimed invention except for a first data field to store a result from an verification of a digital credential by a user of a digital credential at any of a plurality of different locations where the digital credential can be used. However, Anderson [202] does disclose , "... send bank statements ... which reflects events of the transaction..." Col. 6, lines 5-58. It would have been obvious to one having ordinary skill in the art at the time the invention was made to store a result from a verification of a digital credential by a user of a digital credential at any of a plurality of different locations where the digital credential can be used allowing specified user's to access said results so that at a later time [a bank statement] could be generated.

Anderson [202] discloses the claimed invention except for a plurality of data fields to store transaction information relating to each verification result in a central location that communicates with each of said plurality of different locations; and a data access structure, allowing specified user's to access said results. Vance '526 teaches that it is known in the art to provide a plurality of data fields to store transaction information relating to each verification result in a central location that communicates with each of said plurality of different locations; and a data access structure, allowing specified user's to access said results. Col. 12,13,14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the detail in Vance '526 about a plurality of data fields to store transaction information relating to each verification result in a central location that communicates with each of said plurality of different locations; and a data access structure, allowing specified user's to access said results as taught by Vance '526, in order to maintain the integrity of the tracking/reporting system.

As per claim 29:

Anderson [202] discloses the claimed invention except for the data structures further include a plurality of data fields to store owner and delegate information. However, Anderson [202] does disclose , "... memory may contain certification information..." Col. 12, lines 57-65. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have memory that could hold the

data structures that include a plurality of data fields to store owner and delegate information to provide a complete list of who is authorized to use the certificate .

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson 202, Vance 526 and Musgrave 010 as applied to claim 1 above, and further in view of Yacobi US 5,878,138 -Yacobi [138].

As per claim 9:

Anderson [202] discloses the claimed invention except for the analyzing the activity log to detect misuse of the digital credential. However, Anderson [202] does disclose "Solutions to the problem of potential fraudulent usage ...must be built into the system at each stage..." Col. 36, lines 32-35. Yacobi [138] teaches that it is known to analyze the activity log to detect misuse of the digital credential. It would have been obvious to one having ordinary skill in the art at the time the invention was made to analyze the activity log to detect misuse of the digital credential as taught by Yacobi [138], since Yacobi [138] states at col. 4, lines 8-9 that such a modification would provide that once fraud is detected, further perpetuation is prevented.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson 202, Vance 526 and Musgrave 010 as applied to claim 1 above, and further in view of Sudia US 5,659,616 Sudia [616]

As per claim 11:

Anderson [202] discloses the claimed invention except for the authorizing one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use.

Sudia [616] teaches that it is known to authorize one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to authorize one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use as taught by Sudia [616], since Sudia [616] states at col. 14, lines 61-67, col. 15, lines 1-12, that such a modification would provide flexibility in the use of the digital signature.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson 202, Vance 526, and Musgrave 010 as applied to claim 13 above, and further in view of Yacobi US 5,878,138 -Yacobi [138].

As per claim 19:

Anderson [202] discloses the claimed invention except for the analyzing the activity log to detect misuse of the digital credential. However, Anderson [202] does disclose "Solutions to the problem of potential fraudulent usage ...must be built into the system at each stage..." Col. 36, lines 32-35. Yacobi [138] teaches that it is known to analyze the activity log to detect misuse of the digital credential. It would have been obvious to one having ordinary skill in the art at the time the invention was made to analyze the activity log to detect misuse of the digital credential as taught by Yacobi [138], since Yacobi [138] states at col. 4, lines 8-9 that such a modification would provide that once fraud is detected, further perpetuation is prevented.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson 202, Vance 526, and Musgrave 010 as applied to claim 30 above, and further in view of Yacobi US 5,878,138 -Yacobi [138].

As per claim 38:

Anderson [202] discloses the claimed invention except for the analyzing the activity log to detect misuse of the digital credential. However, Anderson [202] does disclose "Solutions to the problem of potential fraudulent usage ...must be built into the system at each stage..." Col. 36, lines 32-35. Yacobi [138] teaches that it is known to

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analyze the activity log to detect misuse of the digital credential. It would have been obvious to one having ordinary skill in the art at the time the invention was made to analyze the activity log to detect misuse of the digital credential as taught by Yacobi [138], since Yacobi [138] states at col. 4, lines 8-9 that such a modification would provide that once fraud is detected, further perpetuation is prevented.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson 202, Vance 526 and Musgrave 010 as applied to claim 13 above, and further in view of Sudia US 5,659,616 Sudia [616]

As per claim 21:

Anderson [202] discloses the claimed invention except for the authorizing one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use.

Sudia [616] teaches that it is known to authorize one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to authorize one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions,

wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use as taught by Sudia [616], since Sudia [616] states at col. 14, lines 61-67, col. 15, lines 1-12, that such a modification would provide flexibility in the use of the digital signature.

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson 202, Vance 526 and Musgrave 010 as applied to claim 30 above, and further in view of Sudia US 5,659,616 Sudia [616]

As per claim 40:

Anderson [202] discloses the claimed invention except for the authorizing one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use.

Sudia [616] teaches that it is known to authorize one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the delegated digital credential was authorized for the specific use.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to authorize one or more delegates to use a delegated digital credential to act on behalf of the owner of the digital credential for specified functions, wherein verifying the use of the digital credential includes determining whether the

delegated digital credential was authorized for the specific use as taught by Sudia [616], since Sudia [616] states at col. 14, lines 61-67, col. 15, lines 1-12, that such a modification would provide flexibility in the use of the digital signature.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 48-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldsmith US 6,064,990 [Goldsmith'990], and in further view of Vance '526.

As per claim 48:

Goldsmith'990 discloses;

receiving transaction requests from a plurality of delegate users who are delegated from an owner, Col. 2, lines 60-67

wherein the transaction requests include digital credentials for the users; Col. 2, lines 55-60

processing the transaction requests; Col. 2, lines 60-67

communicating transaction information to a central service, Col. 2, lines 60-67

wherein the transaction information includes the digital credentials of the users.

Col. 2, lines 50-55.

Goldsmith '990 discloses the claimed invention except for the wherein said allowing comprises allowing said user to view all reports, but allowing each said to view only their own activity report, and not allowing each said delegate to view reports for other delegates.

Vance '526 teaches that it is known in the art to provide a wherein said allowing comprises allowing said user to view all reports, but allowing each said to view only their own activity report, and not allowing each said delegate to view reports for other delegates. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the transaction request involving digital credentials of Goldsmith '990 with the ability of a user (corporation) to view all reports, but allowing each said to view only their own activity report, and not allowing each said delegate to view reports for other delegates, in order to maintain control and security of corporation expenditures.

As per claim 49:

Goldsmith further discloses;

wherein processing the transaction requests includes communicating the digital credentials to the central service for verification. Fig. 1, 10

Claims 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldsmith'990 and Vance'526 as applied to claim 48 above, and further in view of Anderson'202 and Sudia'616.

As per claim 50:

Goldsmith'990 discloses the claimed invention except for the verifying the digital certificate and communicating the result of the verification to the credential service. Anderson'202 teaches that it is known to verify digital certificates. It would have been obvious to one having ordinary skill in the art at the time the invention was made to verify digital certificates as taught by Anderson'202, since Anderson'202 teaches at Col. 6, lines 40-55 verification of digital certificates.

Goldsmith'990 and Anderson'202 disclose the claimed invention except for communicating a result of the verification to the credential service.

Sudia [616] teaches that it is known to verify the digital credential; and communicate the result of the verification to the credential service.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to verify the digital credential; and communicate the result of the verification to the credential service as taught by Sudia [616], since Sudia [616] states at col. 14, lines 61-67, col. 15, lines 1-12, that such a modification would provide flexibility in the use of the digital signature.

As per claim 51:

Goldsmith'990 and Anderson '202 discloses the claimed invention except for receiving a activity report from the central service, wherein the activity report lists the transaction information for each digital credential. However, Anderson [202] does disclose , "... send bank statements ... which reflects events of the transaction..." Col.6, lines 5-58. It would have been obvious to one having ordinary skill in the art at the time the invention was made to store a result from a verification of a digital credential and a plurality of data fields to store transaction information relating to each verification result so that at a later time [a bank statement] could be generated.

As per claim 52:

Goldsmith'990 discloses the claimed invention except for wherein the transaction information includes at least one of a message that was signed, a transaction value, an online service, an internet protocol (IP) address, a value of the transaction, a date of the transaction and a the time of the transaction.

Anderson'202 discloses wherein the transaction information includes at least one of a message that was signed, a transaction value, an online service, an internet protocol (IP) address, a value of the transaction, a date of the transaction and a the time of the transaction. It would have been obvious to one having ordinary skill in the art at the time the invention was made to wherein the transaction information includes at least one of a message that was signed, a transaction value, an online service, an internet protocol (IP) address, a value of the transaction, a date of the transaction and a the time

of the transaction as taught by Anderson'202, since Anderson'202 shows in Fig.6 that transaction information includes at least one of a message that was signed, a transaction value, an online service, an internet protocol (IP) address, a value of the transaction, a date of the transaction and a the time of the transaction

Claims 42-44, are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldsmith US 6,064,990 [Goldsmith'990].

As per claim 42:

Goldsmith '990 discloses;

storing use information for a user; Col. 1, lines 53-55

processing the use information; Col. 1, lines 55-57

generating an alert. Col. 1, lines 57-64.

Goldsmith '990 discloses the claimed invention, as discussed above, except for the step of storing use information for a digital of a plurality of delegates who are delegated to use said digital credential by an owner processing the use information for each of said plurality of delegates to detect misuse. However, Goldsmith'990 is providing usage information on the activity of data associated with the user. It would have been an obvious matter of choice to modify the teachings of Goldsmith '990, to provide the step of storing use information for a digital certificate or any other type of data associated with the user. Since the applicant has not disclosed that a digital certificate uniquely distinguishes itself from any other type of data which is unobvious to one of ordinary

skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Goldsmith'990 will perform the invention as claimed by the applicant regardless of what the data is being used for or named.

Goldsmith '990 discloses the claimed invention, as discussed above, except for the step of processing the use information to detect misuse. However, Goldsmith'990 does process the information if the authentication is breached or for any unauthorized activity. Col. 2, lines 5-10. It would have been an obvious matter of choice to modify the teachings of Goldsmith '990, to call breaching the authentication protocol or unauthorized activity as a misuse of an account. Since the applicant has not disclosed that term "misuse" distinguishes itself from any other type breaching or unauthorized activity which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Goldsmith'990 will perform the invention as claimed by the applicant regardless of what the breaching or unauthorized activity is called.

Goldsmith '990 discloses the claimed invention, as discussed above, except for the step of generating an alert to the owner when misuse is detected. However, Goldsmith'990 does immediately notify a user of account activity. Col. 2, lines 5-10. Goldsmith'990 does include notification of any user-designated misuse of their account. Since the applicant has not disclosed that generating an alert when misuse is detected distinguishes itself from any other type notification activity which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention

over similar features in the prior art since, the teachings of Goldsmith'990 will perform the invention as claimed by the applicant and include misuse information in the user notification.

As per claim 43:

Goldsmith'990 further discloses;

generating an activity report based on the use information. Fig. 3

As per claim 44:

Goldsmith '990 discloses the claimed invention, as discussed above, except for the step of wherein generating an alert includes alerting a credential service provider. However, Goldsmith'990 does disclose transforming the account activity message into an e-mail message and transmitting the e-mail message to the user provided e-mail address. Col. 6, lines 58-65. The user provided e-mail addresses are only limited by the user's imagination. It would have been an obvious matter of choice to modify the teachings of Goldsmith '990, to include in the user's e-mail a credential service provider. Since the applicant has not disclosed that alerting a credential service provider distinguishes itself from alerting any other type of organization which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Goldsmith'990 will perform the invention as claimed by the applicant regardless of who or what organization is alerted.

2. Claims 45 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldsmith'990 as applied to claim 42 above, and further in view of Anderson'202 and Vance'526.

As per claim 45:

Goldsmith'990 further discloses:

wherein the use information includes transaction information. Col. 8, lines 1-27

Anderson [202] discloses the claimed invention except for allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates. However, Anderson [202] does disclose , "... provide statements or reports to the payer and the payee..." Col. 30, lines 19-29.

Vance '526 teaches that it is known in the art to wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not allowing each said delegate to view reports for other delegates. Col. 12,13,14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include in Anderson '202 about generating activity reports of the delegates of the user and wherein said allowing comprises allowing said user to view all reports, but allowing each said delegate to view only their own activity report, and not

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allowing each said delegate to view reports for other delegates as taught by Vance '526, in order to maintain the integrity of the tracking/reporting system.

As per claim 47:

Goldsmith'990 discloses the claimed invention except for the wherein the transaction information includes at least one of a message that was signed using a digital signature key of the digital credential, a value of a transaction, an online service, an internet protocol (IP) address, a date of the transaction and a time of the transaction. Anderson'202 teaches that it is known in the art to provide wherein the transaction information includes at least one of a message that was signed using a digital signature key of the digital credential, a value of a transaction, an online service, an internet protocol (IP) address, a date of the transaction and a time of the transaction. Col. 25, lines 64-67, Col. 26, lines 1-35.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the electronic notification of account activity of Goldsmith'990 with the wherein the transaction information includes at least one of a message that was signed using a digital signature key of the digital credential, a value of a transaction, an online service, an internet protocol (IP) address, a date of the transaction and a time of the transaction of Anderson'202, in order to provide complete information regarding the transaction.

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldsmith'990 and further in view of Sudia'616.

As per claim 46:

Goldsmith'990 discloses the claimed invention except for that the use information includes verification information for the digital credential. Sudia'616 teaches that it is known to verify digital credentials. It would have been obvious to one having ordinary skill in the art at the time the invention was made to verify digital information as taught by Sudia'616 and issue a report as taught by Goldsmith'990.

Claim 53-56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson'202, and further in view of Goldsmith'990.

As per claim 53:

Anderson'202 discloses;

receiving a request from a medical professional to access medical information at a remote location, Fig. 26

wherein the request includes a digital credential for the medical professional;

Fig. 26

communicating transaction information describing the access request and the digital credential to a credential verification service; Fig 26

receiving a verification result from the credential verification service; Fig. 26

providing the medical professional access to the medical information based on the verification result; Fig. 26

Anderson'202 discloses the claimed invention except for receiving an activity report from the credential verification service and wherein the activity report lists the transaction information, the digital credential and the transaction result. Goldsmith'990 teaches that it is known to receive an activity report from the credential verification service and wherein the activity report lists the transaction information, the digital credential and the transaction result. It would have been obvious to one having ordinary skill in the art at the time the invention was made to receive an activity report from the credential verification service and wherein the activity report list the transaction information, the digital credential and the transaction result as taught by Goldsmith'990.

As per claim 54:

Anderson'202 further discloses;

wherein the transaction information includes at least an access type, a date of the transaction and a time of the transaction. Fig. 6.

As per claim 55:

Anderson'202 further discloses;

wherein the digital credential was provided by a credential issuing service and a credential service provider. Fig. 24

As per claim 56:

Anderson'202 further discloses;

receiving a request to access the activity report from an owner of the digital credential; Col. 31, lines 10-67

providing the owner access to the activity report. Col. 31, lines 10-67

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

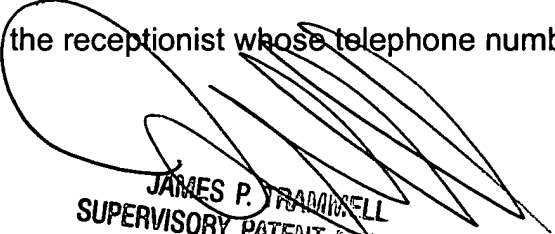
Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 703-306-5539. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 703-305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2300

DLG
October 14, 2004